

1 Anthony M. Barnes (Bar No. 199048)  
2 Jason Flanders (Bar No. 238007)  
3 Email: amb@atalawgroup.com  
4 AQUA TERRA AERIS LAW GROUP LLP  
5 4030 Martin Luther King Jr. Way  
6 Oakland, CA 94609  
7 Phone: (917) 371-8293

8 Barak Kamelgard (Bar No. 298822)  
9 Email: barak@lawwaterkeeper.org  
10 Benjamin A. Harris (Bar No. 313193)  
11 Email: ben@lawwaterkeeper.org  
12 LOS ANGELES WATERKEEPER  
13 360 E. 2nd Street, Suite 250  
14 Los Angeles, CA 90012  
15 Phone: (310) 394-6162

16 *Attorneys for Plaintiff*

17 LOS ANGELES WATERKEEPER

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

LOS ANGELES WATERKEEPER, a  
California non-profit association,

Plaintiff,

v.

EDDIE KANE STEEL PRODUCTS,  
INC., a New Jersey corporation,

Defendant.

Case No.: 2:23-cv-01974-WLH-E

**NOTICE OF LODGING OF  
[PROPOSED] CONSENT DECREE;  
REQUEST FOR ENTRY OF  
[PROPOSED] CONSENT DECREE**

1 WHEREAS, on August 21, 2023, LOS ANGELES WATERKEEPER  
2 (“Plaintiff”) and Defendant EDDIE KANE STEEL PRODUCTS, INC. (“Defendant”)  
3 (collectively, “the Parties”) agreed on a tentative settlement resolving the issues  
4 raised in Plaintiffs’ complaint; and

5 WHEREAS, on August 21, 2023, Plaintiff filed a Notice of Tentative  
6 Settlement and requested the Court not sign the Consent Decree until a mandatory  
7 period for comment by the United States had passed pursuant to United States Code,  
8 title 33, section 1365(c)(3) and Code of Federal Regulations, title 40, section 135.5  
9 (ECF #23); and

10 WHEREAS, on August 22, 2023, Plaintiff filed a Notice of Commencement of  
11 45-Day Review Period, which advised the Court that the United States had  
12 acknowledged receipt of the Consent Decree and would notify the Court of any  
13 objections to the Consent Decree, (ECF #24); and

14 WHEREAS, on October 16, 2023, the United States Department of Justice  
15 notified Plaintiff via electronic mail that the United States does not object to the  
16 Court’s entry of the Consent Decree into judgment; as the Agencies have indicated  
17 that they have no objection to entry, the Court may now enter the [Proposed] Consent  
18 Decree, which includes a request that the Court retain jurisdiction to enforce the  
19 terms of the [Proposed] Consent Decree if necessary.

20 WHEREAS, on October 16, 2023, Plaintiff submitted a [Proposed] Consent  
21 Decree to the Court for approval and entry.

22 THEREFORE, Plaintiff hereby requests the Court sign the [Proposed] Consent  
23 Decree, a true and correct copy of which is attached to this Notice of Lodging as  
24 “Exhibit A,” and enter the Consent Decree as judgment.

25  
26 DATED: October 16, 2023  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

/s/Anthony M. Barnes  
Anthony M. Barnes  
Aqua Terra Aeris Law Group  
Attorneys for Plaintiff  
LOS ANGELES WATERKEEPER